IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

RP.No. 167 of 2007(C)

AGAINST THE JUDGEMENT/ORDER IN CRP.115/2005 Dated 09/10/2006
IA 399/04 IN OS 93/02 OF PRL. SUB COURT, THALASSERY

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REVIEW PETITIONERS/REV.PETITIONERS./PETITIONERS/PLAINTIFFS

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1. SMT.N.M.PANKAJAKSHI,
   D/O. LATE KUNHAMBU, `AMER DEEP', P.O. NETTUR,
   THALASSERY.

2. SMT.N.M. RADHA, W/O. T.E.BALAN,
   THAZHE ELAMPILAYIL HOUSE, P.O. PURAMERI,VATAKARA.

3. SMT.N.M.PREMAVATHY, W/O.C.H.ANANDAN,
   CHERIYAMADAPALLIL HOUSE, P.O. VELLYAPALLI,
   VATAKARA.

4. SMT. N.H.MANOHARI, W/O.E.NARAYANAN,
   EDATHIL HOUSE, P.O. PUTHUR.

BY ADV. SRI.T.P.PANKAJAKSHAN

RESPONDENTS/RESPONDENTS/RESPONDENTS/DEFENDANTS:

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1. MEPADAN RAVINDRAN, S/O.LATE KUNHAMBU,
   PUTHIYAPURAYYIL, P.O. NARAVOOR, KUTHUPARAMBU.

2. SMT.N.M.SARADA, D/O.LATE KUNHAMBU,
   KIZHAKKEYIL HOUSE, P.O. VILLYAPALLI, VATAKARA.

3. N.M.RAJAN, S/O.LATE KUNHAMBU,
   JOE D` MELLO HOUSE, NEW TRESA BUILDING,
   ROOM NO.14, MANIKPUR, VASAI ROAD, THANE DISTRICT,
   MUMBAI.

4. N.M. VIJAYAN, S/O.LATE KUNHAMBU,
PUTHIYAPURAYIL HOUSE, P.O. NARAVOOR, KUTHUPARAMBU.

5. N.M. VENUGOPALAN, S/O. DEVI,
NAMITH BHAVAN, P.O. CHOCKLY, THALASSERY.

6. SMT.KUNHAMBU, W/O. POKKU,
ZEENATH MANZIL, P.O. NARAVOOR, KUTHUPARAMBU.

7. SMT. SUNEERATHUL HAFEEFA, W/O. SAIFU,
ZEENATH MANZIL, P.O. NARAVOOR, KUTHUPARAMBU.

BY //

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

R.P .NO. 167 OF 2007

Dated 26th February 2007

O R D E R

This petition is filed to review the order dated 9/10/2006 dismissing the revision petition challenging the order passed by trial court dismissing an application to set aside report and plan submitted by the advocate commissioner. Case of petitioners is that the order was passed without hearing the counsel. In view of Division Bench decision of this court a revision challenging dismissal of an application to set aside the report submitted by the commissioner is not revisable. Remedy of petitioners is to challenge the order along with final judgment in the suit, if judgment goes against petitioner. There is no reason to review the order as sought for.

Review petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.